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ADMITTED IN

AUG 15 2008

August 13 2008

CHAMBERS OF  
JUDGE SIDNEY H. STEIN  
U.S.D.J.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
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DATE FILED: 8/18/08

**BY HAND**

The Honorable Sidney H. Stein  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

**MEMO ENDORSED**

Re: United States v. Acevedo, et al., 07 Cr. 378 (SHS)

Your Honor:

I am counsel for defendant Luis Acevedo in the above referenced case. I write to request an adjournment of the parties' August 20, 2008 sentencing hearing to August 27, 2008 anytime between the hours of 9:00 a.m. to 1:30 p.m., or after 4:00 p.m. The Government consents to this request. This is defense counsel's first request for an adjournment.

The extension is necessary because after consulting with Mr. Acevedo and concluding that he wished to proceed with his sentencing under the current plea agreement, I was recently informed that he wishes to request a "safety valve" pursuant to 18 U.S.C. § 3553(f) and U.S.S.G. § 5C1.2 without withdrawing guilty plea. Under the current plea agreement, Mr. Acevedo is precluded from requesting a "safety valve" since he has stipulated that he was a manager or supervisor of criminal activity that involved five or more participants and was otherwise extensive, pursuant to U.S.S.G. § 3B1.1(b). I attempted to meet with defendant today to discuss this issue, however, because of an emergency in his cellblock at the Metropolitan Detention Center it was not possible. I am scheduled to meet with him tomorrow to discuss this issue.

Sincerely,

Michael O. Hueston

*The sentencing is  
adjourned to 9/2/08,  
at 2:30 pm. Defense  
Submission by  
8/26/08*

Cc: Benjamin Naftalis  
Assistant United States Attorney (by email)

SO ORDERED 8/18/08

SIDNEY H. STEIN  
U.S.D.J.